

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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BILL DRAFT 2011-LR-110B* [v.6] (01/23)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

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Short Title: Smarter Gov/Business Intelligence Initiative.

(Public)

Sponsors: Senator Hise./Representative Blackwell.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH ENTERPRISE-WIDE BUSINESS INTELLIGENCE AS A KEY
COMPONENT OF ALL STATE GOVERNMENTAL OPERATIONS IN ORDER TO
MAXIMIZE DATA INTEGRATION AND ANALYTICS, THEREBY YIELDING MORE
EFFICIENT GOVERNMENT AND ADVANCING INNOVATION IN NORTH
CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH
COMMISSION STUDY COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Purpose. – The purpose of this act is to implement an enterprise-level data integration and analytics initiative across State government. The initiative will support the effective and efficient development of State government's business intelligence capability in a coordinated manner and reduce unnecessary information silos and technological barriers. The initiative is not intended to replace transactional systems, but it is intended to leverage the data from those systems for enterprise analytics.

SECTION 2.(a) Coordination. – Coordination of the State government business intelligence initiative shall be led by:

- (1) The State Controller, for the executive branch.
- (2) The officer or agency designated by the Chief Justice of the North Carolina Supreme Court, for the judicial branch.
- (3) The officer or agency designated by the Legislative Services Commission, for the legislative branch.

SECTION 2.(b) From among those set forth in subsection (a) of this section, the State Controller shall serve as the principal coordinating officer responsible for the State government business intelligence initiative authorized by this act. Nothing in this act prevents the Chief Justice or the Legislative Services Commission from designating the State Controller to lead the business intelligence initiative for the judicial and legislative branches, respectively.

SECTION 3.(a) There is established in the Office of State Controller (OSC) the Government Business Intelligence Competency (GBICC) as an integral component of the State government business intelligence initiative. The work, purpose, and resources of the current data integration effort in the OSC shall be assumed by GBICC. The State Controller shall make any other organizational changes necessary to maximize the effectiveness and efficiency of GBICC.



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1 **SECTION 3.(b)** The State Controller and GBICC shall coordinate data
2 requirements and usage for business intelligence applications across State government. This
3 coordination shall be accomplished in a manner that (i) limits impacts on participating agencies
4 as those agencies provide data and business knowledge expertise and (ii) assists in defining
5 business rules so data can be properly used.

6 **SECTION 3.(c)** The GBICC shall:

- 7 (1) Continue and coordinate ongoing enterprise data integration efforts.
- 8 (2) Identify any technologies supporting data analytics.
- 9 (3) Identify technologies currently used in North Carolina, including standard
10 technologies for foundation components.
- 11 (4) Identify other technologies that could support the State's business
12 intelligence effort, especially those with unique capabilities.
- 13 (5) Compare capabilities and costs across State government.
- 14 (6) Ensure implementation is properly supported across State government.
- 15 (7) Ensure that data integration and sharing is performed in a manner that
16 preserves privacy, as appropriate.

17 **SECTION 3.(d)** Efficiencies and savings generated by the work of the GBICC are
18 intended to offset any additional resources agencies may require to support the sharing of data.

19 **SECTION 4.(a)** Data Sharing Mandatory. – The State Controller shall be granted
20 access to all information required to develop and support State government business
21 intelligence applications established by this act. The head of each State agency, department,
22 and institution; the head of every political subdivision of the State; the Board of Trustees of
23 The University of North Carolina; the Community Colleges System Office; and, the local
24 boards of education shall:

- 25 (1) Cooperate fully in the sharing of all data required to develop and effectuate
26 the State government business intelligence initiative.
- 27 (2) Provide the full details of the agency's information technology, operational,
28 and security requirements, and information on all of the agency's
29 information technology activities relevant to State government business
30 intelligence effort.
- 31 (3) Forecast the agency's projected future business intelligence information
32 technology needs and capabilities.
- 33 (4) Identify potential resources for deploying business intelligence in their
34 respective agencies and as part of the enterprise-wide effort.

35 **SECTION 4.(b)** The State Controller shall report immediately any failure to
36 provide requested information to the Joint Legislative Committee on Information Technology
37 and to the Chairs of the House of Representatives Appropriations and Senate Base
38 Budget/Appropriations Committees.

39 **SECTION 5.(a)** Sensitive Data/Security. -- Any data that is not classified as a
40 public record under G.S. 132-1 shall not be deemed a public record when incorporated into the
41 data resources comprising the State's business intelligence initiative. To maintain the
42 confidentiality requirements attached to the information provided to the State Controller and
43 GBICC by the various State and local agencies, each source agency providing data shall be the
44 sole custodian of the data for the purpose of any request for inspection or copies thereof under
45 Chapter 132 of the General Statutes. When applicable, the State Controller and GBICC shall
46 only allow access to data from the source agencies in accordance with rules adopted by the
47 respective source agencies.

48 **SECTION 5.(b)** G.S. 75-66(d) reads as rewritten:

49 "(d) Nothing in this section shall:

- 50 (1) Limit the requirements or obligations under any other section of this Article,
51 including, but not limited to, G.S. 75-62 and G.S. 75-65.

- (2) Apply to the collection, use, or release of personal information for a purpose permitted, authorized, or required by any federal, state, or local law, regulation, or ordinance.

(3) Apply to data integration efforts to implement the State's business intelligence strategy as provided by law or under contract."

SECTION 6.(a) Public Records. -- Notwithstanding the provisions of Chapter 132 of the General Statutes, information compiled by the State Controller and the GBICC related to the business intelligence initiative authorized by this act may be released as a public record only if the State Controller, in that officer's sole discretion, finds that the release of information is in the best interest of the general public and not in violation of law or contract.

SECTION 6.(b) Information released to persons engaged in implementing the State's business intelligence strategy under this act that is used for purposes other than official State business is not a public record pursuant to Chapter 132 of the General Statutes.

SECTION 7.(a) Coordination Requirements/Phases. -- The State government business intelligence initiative shall be phased for maximum benefit, as follows:

- (1) Phase. I. -- In the first phase, the State Controller and GBICC shall:
- a. Inventory existing data analytics projects, both completed and under development.
 - b. Develop a plan of action that does all of the following:
 1. Defines the program requirements, objective, and end state of the business intelligence initiative.
 2. Prioritizes stages of implementation in a detailed plan and benchmarked timeline.
 3. Includes the effective coordination of all of the State's current data integration initiatives.
 4. Utilizes a common approach that establishes standards for business intelligence initiative for all agencies and prevents the development of projects that do not meet the established standards.
 5. Determines costs associated with the development effort and identifies potential sources of funding.
 6. Includes a privacy framework for data integration consisting of adequate access controls and end user security requirements.
- (2) The State Controller shall, working through GBICC, determine if:
- a. Current, ongoing projects support the enterprise-level objectives.
 - b. Current applications are scalable, or are applicable for multiple agencies, or both.
- (3) Phase II. -- In the next phase, the State Controller and GBICC shall:
- a. Identify redundancies, and determine which projects should be discontinued.
 - b. Determine where gaps exist in current or potential capabilities.
- (4) Phase III. -- By the final phase, the State Controller and GBICC shall:
- a. Incorporate or consolidate existing projects, as appropriate.
 - b. Eliminate redundant projects, software, and licensing, and reprogram funding from redundant projects.
 - c. Have taken all steps necessary to achieve privacy preserving data integration.

SECTION 8.(a) Steering Committee. -- Section 6A.20.(b) of S.L. 2011-145, pertaining to the creation of the Data Integration Steering Committee, is repealed. The

purposes, duties, and resources of the former entity shall be assumed by the Government Business Intelligence Steering Committee created by this section.

SECTION 8.(b) The Data Integration Steering Committee (Committee) is created in the Office of the State Controller. The purpose of the Committee is to provide for the centralization of the State's business intelligence and data integration in order to increase value while decreasing cost and to enhance service provision and efficiency in the best interests of North Carolina.

The State Controller shall chair the Committee. The Committee shall consist of the following voting members:

- (1) Two members appointed by the Governor, including one person with information technology background and expertise and one person having a background in law enforcement.
- (3) Two members appointed by the President Pro Tempore of the Senate, including one person with a background in government accounting and one having experience in government operations.
- (5) Two members appointed by the Speaker of the House of Representatives, including one person with a background in information technology and one person with a background in business management.

The State Treasurer, the State Auditor, the Director of the Office of State Budget and Management, and the State Chief Information Officer, are appointed as non-voting, ex-officio members of the Committee, serving in an advisory capacity.

The appointing authority shall fill vacancies. Members of the Committee shall receive per diem, subsistence, and travel allowances at the applicable rate established in G.S. 120-3.1, G.S. 138-6, or G.S. 138-5. Public members of the Committee may not have a current or former business relationship with any vendor with which the State is doing business for its information technology related requirements.

SECTION 8.(c) The Committee shall do all of the following:

- (1) Review the agencies' portfolio of data and information assets as well as the tools, services, processes, and strategies by which the State's data assets can be aligned to increase the State's business intelligence.
- (2) Develop policies pertaining to the State's data inventory that will further business intelligence.
- (3) Evaluate the cost versus benefit relationship across agency information technology business processes.
- (4) Consider ways to increase transparency through data sharing strategies such as data services toward the end that data integration will be effective.
- (5) Consider ways to protect the privacy and information of persons in the State affected by data integration.
- (6) Assist in the selection of project leaders who will accomplish enterprise-wide data integration and business intelligence objectives.

SECTION 8.(d) By September 1, 2012, and quarterly thereafter, the State Controller shall make a detailed progress report to the Joint Legislative Committee on Information Technology regarding implementation of the State government business intelligence initiative.

SECTION 9.(a) Appropriations. -- There is appropriated from the General Fund to the Office of State Controller the sum of _____ dollars (\$) for the 2012-2013 fiscal year to fund the business intelligence initiative established by this act.

SECTION 9.(b) There is appropriated from the Highway Fund to the Office of State Controller the sum of _____ dollars (\$) for the 2012-2013 fiscal year to fund the business intelligence initiative established by this act.

SECTION 10. Effective Date. -- This act becomes effective July 1, 2012.